



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/552,766	04/19/2000	Paul Evans	27950-410	2829

7590 12/03/2003

Andre M Szuwalski
Jenkins and Gilchrist P C
3200 Fountain Place
1445 Ross Avenue
Dallas, TX 75202-2799

EXAMINER

LEE, TIMOTHY L

ART UNIT

PAPER NUMBER

2662

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/552,766

Applicant(s)

EVANS, PAUL

Examiner

Timothy Lee

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-4, 8 and 10-15 is/are rejected.
- 7) ☒ Claim(s) 5-7 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 23 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Mademann (US 6,081,723).
3. Regarding claims 1 and 8, Madamann discloses a method and arrangement for the location area management in a cellular network. Location areas are one or more radio cells combined together into an area in a network such as GSM. In a GPRS system, locations areas are also known as routing areas RA (routing area-cell mapping information defining a relation between a RA and at least one cell of the RBS). See col. 1, lines 49-59. Fig. 2 is directed toward the transmission of a radio call message (paging) into one or more radio cells of a location area for an incoming call. The mobile switching center MSC in Fig. 2 initiates the transmission of a paging PA. The paging PA is then sent from the MSC to the SGSN. A temporary mobile radiotelephone subscriber identifier TMSI and the international mobile radiotelephone subscriber identifier IMSI are co-transmitted in the paging PA. The paging PA is then sent from the SGSN to the base station BSS (for processing a page request received from e a SGSN). This paging PA contains one of more lists CLI of radio cell identifiers for the purpose of identification of the radio cells to which the TMSI and the IMSI are communicated (associated an RA information

Art Unit: 2662

extracted from said page request with cell identification information using said routing area-cell mapping information). In order to process the page requests, it is inherent that the BSS contains a controller for extracting the information found in the paging PA (a PCU for processing a page request). Via the BSS, the paging PA proceeds to the mobile radiotelephone subscriber stations MS whereof the MS react to the TMSI. See col. 6, line 24-col. 7, line 33.

4. Regarding claim 8 more specifically, GPRS stands for General Packet Radio Service and is a network capable of being IP-based (IP-based RAN).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 3, 4, 10, 11, 12, 13, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mademann in view of Hall et al. (US 6,438,383) and in light of the rejection to claim 1.

7. Regarding claims 2-4, 11, 12, 13, and 15, Mademann does not expressly disclose where the page message is a broadcast or multicast message. Hall et al. discloses sending an paging request over multiple channels or all channels depending on the network situation. See at least col. 9, lines 5-27. It would have been obvious to a person of ordinary skill in the art at the time of the invention send the paging messages of Mademann in the broadcast or multicast way described in Hall et al. One would have been motivated to do this because sometimes that

mobile station cannot be found on the first paging attempt, so to increase the chances of finding the mobile station, it might be necessary to send it to more or all of the potential areas that the station could be in.

8. Regarding claim 10, Mademann does not expressly disclose a memory for storing the routing information, but it would have been obvious to a person of ordinary skill in the art at the time of the invention to include a memory for storing the routing area information. One would have been motivated to do this because that information would have been stored somewhere in the BSS so that it could determine where to forward the page after it received it from the SGSN.

9. Regarding claim 14, it is inherent the page message would have been decapsulated in order to extract the information found in the packet. This is a necessary step for reading the information found in a packet message.

Allowable Subject Matter

10. Claims 5-7 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Remarks

11. The restriction requirement in the Office Action dated September 10, 2003 has been withdrawn.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lupien et al. (US 6,389,008), Willars (US 6,480,476), and Wilhelmsson et al. (US 6,317,421) disclose systems that involve the interaction between a SGSN and a base station.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy Lee whose telephone number is (703)305-7349. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (703)305-4744. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

TLL



HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600